

**CUTI HECKER WANG LLP**

305 BROADWAY, SUITE 607  
NEW YORK, NEW YORK 10007

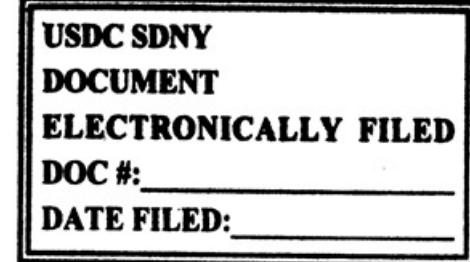
ALEXANDER GOLDENBERG  
212 620 2607 TEL  
212 620 2617 FAX

AGOLDENBERG@CHWLLP.COM

July 13, 2022

**By ECF and Email**

Hon. Stewart D. Aaron  
United States Magistrate Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: *Clayton Johnson v. City of New York, et al.*, 20 Civ. 5913 (ALC)(SDA)

Dear Judge Aaron:

Together with The Jacob D. Fuchsberg Law Firm, LLP, this firm represents plaintiff Clayton Johnson in the above-referenced matter. We write regarding the settlement conference that is presently scheduled for tomorrow, July 14, at 2:00 pm.

We learned today from Plaintiff's criminal defense counsel that a determination has been made, pursuant to NY CPL Article 730, that Plaintiff is presently unfit to proceed in his criminal case. Correctional Health Services submitted its finding to the New York State Court today.

We are assessing what this development means for Plaintiff's civil case, and whether it will be necessary to seek appointment of a next friend pursuant to Federal Rule of Civil Procedure 17(c). We have a video conference scheduled with Plaintiff for tomorrow during which we will discuss this development. Given that we just learned of the determination today, however, we respectfully request that the settlement conference be adjourned *sine die*. We further request that we be given twenty-one (21) days to update the Court on proposed steps for moving forward. We have notified defense counsel of this development and shared this letter with them prior to filing.

We thank Your Honor for your consideration of this letter, and we apologize for any inconvenience to the Court and defendants caused by this last-minute request for an adjournment.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Alexander Goldenberg".

Alexander Goldenberg

Request GRANTED. The settlement conference scheduled for 7/14/2022 is adjourned *sine die*. No later than 8/4/2022, Plaintiff's counsel shall file a letter setting forth proposed steps for moving forward. SO ORDERED.

Dated: 7/13/2022

A handwritten signature in blue ink, appearing to read "Stewart D. Aaron".